

NO. 72634

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 18 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 18 2005

The applicant **JOHN J. MISCHER AND DEBORAH A. MISCHER** hereby make application for permission to change the **Point of diversion, Place of use of a portion** of water heretofore appropriated under **PERMIT # 52123 CERTIFICATE #13512**

1. The source of water is **UNDERGROUND SOURCE**
2. The amount of water to be changed **2 AFA, 1.11 ACRES 0.0218 CFS**
3. The water to be used for **IRRIGATION AND DOMESTIC**
4. The water heretofore permitted for **IRRIGATION AND DOMESTIC**
5. The water is to be diverted at the following point **WITHIN THE NW¼ OF THE SE¼ OF THE SE¼ OF SECTION 35, T.19S., R.52 E., M.D.B.&M., NYE COUNTY, NEVADA AT A POINT FROM WHICH THE SE CORNER OF SAID SECTION 35 BEARS S 46°27'46"E A DISTANCE OF 1377.65' FEET.**
6. The existing permitted point of diversion is located within **THE SW¼ OF THE NW¼ OF SECTION 12, T.21S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA OR AT A POINT FROM WHICH THE C¼ CORNER OF SAID SECTION 12 BEARS S 43°05'E A DISTANCE OF 1875.0 FEET.**
7. Proposed place of use **CONSISTING OF 10 ACRES WITHIN THE NW¼ OF THE SE ¼ OF THE SE¼ OF SECTION 35, T.19S., R.52E., M.D.B.&M., NYE COUNTY, NEVADA ALSO KNOWN AS A.P.N. #27-181-35**
8. Existing place of use **CONSISTING OF 1.11 ACRES WITH THE E½ OF THE SW¼ OF THE NW¼ OF SECTION 12, T.21S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA**
9. Use will be from **January 1ST to December 31ST** of each year.
10. Use was permitted from **January 1ST to December 31ST** of each year.
11. Description of proposed works **EXISTING WELL CASING, SUBMERGIBLE PUMP, PRESSURE TANK, DISTRIBUTION SYSTEM AND PROPOSED TOTALIZING METER**
12. Estimated cost of works **\$1000**
13. Estimated time required to construct works **1 - YEAR, EXISTING 8" CASING, PUMP, AND PRESSURE TANK.**
14. Estimated time required to complete the application of water to beneficial use **5 - YEARS**

15. Remarks:

By **RONNIE M. PHILLIPS AGENT**
s/ **RONNIE M. PHILLIPS**
1240 E. STATE STREET SUITE #101
PAHRUMP, NEVADA 89048

Compared mt/ gkl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 52123, Certificate 13512, is issued subject to the terms and conditions imposed in said Permit 52123, Certificate 13512, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Permit 72634 is granted for irrigation of 0.40 acres within the parcel described as Nye County Assessor's Parcel (APN) 27-181-35.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0218 cubic feet per second, and not to exceed 2.0 acre-feet annually, and not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 31, 2007

Proof of completion of work shall be filed on or before:

May 1, 2007

Water must be placed to beneficial use on or before:

March 31, 2009

Proof of the application of water to beneficial use shall be filed on or before:

May 1, 2009

Map in support of proof of beneficial use shall be filed on or before:

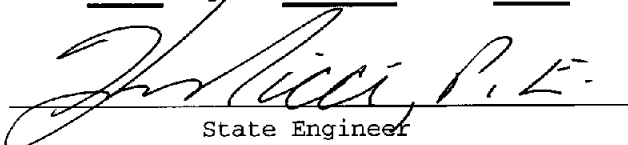
May 1, 2009

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 31st day of March, A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

DENIAL OF STATE ENGINEER

This permit is hereby revoked and the application denied on the grounds that its approval would conflict with existing water rights and would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of April, A.D. 2006.


State Engineer